

What’s Required?

- Doctors and labs must report to the Health Department the names of persons with HIV infection, HIV illness and AIDS.
- Doctors must also report the names of sex and needle-sharing partners of people who test HIV positive that are known to the doctor.

What’s Voluntary?

- Getting an HIV test.
- Giving your doctor or the health department the names of your partners.

What Choices Do I Have?

You can work with your doctor to decide the best way to notify your partners.

3. Why is HIV reporting and partner notification important?

The New York State Department of Health needs information about the HIV/AIDS epidemic to better plan prevention services and make sure health care and support services are available. Partner notification is important because:

- It helps people who have been exposed to HIV learn about their risk so they can get tested.
- If they test positive, they can learn about treatment that may help them live longer, healthier lives.
- If they test positive, they can learn about ways to prevent passing HIV to others.
- If they test negative, they can learn how to stay that way.

4. Is it still a good idea to get an HIV test?

Yes. There are many very important reasons to get tested. If you learn you are infected, you can get treatments that may help you stay healthy longer, learn how to avoid passing HIV to others and learn how to protect yourself from sexually transmitted diseases (STDs) and other diseases that may harm your health. If you are not infected, you can get information about how to stay that way.

5. Who should get tested?

You should get tested if you’ve ever:

- had sex without a latex condom.
- shared needles to shoot drugs (even insulin or steroids) or for piercing or tattooing.
- had an STD.
- had many sex partners.

Women should get tested if they are pregnant or planning to get pregnant because there are medicines that greatly reduce the chance that a woman will pass HIV on to her baby.

6. How can I get an HIV test?

Your doctor can give you an HIV test. Or, you can get tested free of charge at a testing site operated by the New York State or New York City Health Department. These sites provide anonymous HIV testing, which means that you do not give your name at the time you are tested. For information about these sites call the hotline numbers listed at the end of this brochure.

Understanding the Difference Between Confidential & Anonymous HIV Tests

Confidential HIV Testing

- Done in a doctor’s office or clinic.
- You give your name.
- The result goes in your medical record.
- Your result cannot be shared except with certain people who need to know to provide you with care and with the Health Department.
- The information is used for your medical care.

Anonymous HIV Testing

- Done only in special Health Department clinics.
- You do not give your name.
- Your test is processed with a number.
- You can choose to convert an anonymous test to a confidential test if you test positive for HIV.

7. When a doctor tells the Health Department that I have HIV infection, what will happen to that information?

The State Health Department follows strict state and federal laws that protect information about you. Information about AIDS cases, including names, has been collected since the early 1980s and there has never been an unauthorized release of personal information by the State Health Department.

8. Will the Department of Health share information about me with other government agencies?

No. Under the law, identifying information about people with HIV infection is ONLY to be used to help the Health Department track the epidemic and for partner notification. The Health Department will NOT disclose this information to other government or private agencies like the Immigration and Naturalization Service (INS), police, welfare, insurance companies or landlords.

9. If I’m under age 18, will the Department of Health notify my parents that I’ve been tested for HIV?

No. If you are under age 18 and have consented to an HIV test, your parents or guardian will not be notified by the Department of Health that you have been tested nor will they be told the results. Your doctor or HIV

test counselor will talk with you about the importance of discussing this with your parent, guardian or other trusted adult.

10. If I want to make sure my sexual partners know that they are at risk, how can I do that?

Consider the three options for partner notification and discuss them with your doctor or with the counselor who conducted your HIV test. PNAP/CNAP counselors can notify your partner for you if you provide some basic identifying information about your partner.

PNAP and CNAP counselors can help you and your doctor with partner notification. To find out about PNAP and CNAP, call the phone numbers listed at the end of this brochure.

11. Should I give the name(s) of my partner(s) to my doctor or the Health Department?

It is a good idea. If you haven’t told your partner(s) directly, it is important to identify them to your doctor or the PNAP/CNAP counselor so they can be told about their risk for HIV infection.

You cannot be penalized and treatment cannot be denied if you choose not to disclose the names of your partners to a doctor or public health worker. It is important that all of your partners know they have been exposed to HIV.

12. What will happen if I am HIV infected and I give my doctor or the Health Department the names of my sex or needle sharing partners?

You and your doctor will discuss the options for letting your partners know they have been exposed to HIV.

Options for Notifying Partners

- Have the PNAP/CNAP counselor tell your partner for you without revealing your identity.
- Tell your partner with the help of your doctor or PNAP/CNAP counselor.
- Tell your partner yourself.

The PNAP/CNAP counselor may then notify your partners to help them learn:

- their risk for HIV;
- where to get counseling and testing;
- how to prevent the spread of HIV; and
- where to get treatment if they are infected.

13. If I discuss my sexual partners with my doctor or public health worker, will they be told that I identified them?

No. When the doctor or PNAP/CNAP counselor from the Health Department tells your partner he/she may be at risk for HIV infection, your name, or any information about you, is never revealed.

14. What if my doctor already knows the name of my partner?

If your doctor already knows the name of your partner, he/she is required to report that name to the State Health Department. For example, if you are married and your doctor knows your husband or wife, the doctor must report your spouse's name. You and your doctor can plan the best way to notify your partner. Public health staff may follow-up with you, but meeting with them is voluntary. All names of partners are held by the Health Department no longer than one year after the case is closed.

15. What if I am afraid that telling my partner could cause me harm?

Your doctor and/or the PNAP/CNAP counselor will talk with you about how you think your partner may react to learning he/she has been exposed to HIV. You should tell your doctor about any concerns you have. If telling your partner will seriously affect your health or safety or the health or safety of someone close to you, notification of the partner can be delayed or deferred. In these cases, your doctor or the PNAP/CNAP counselor will refer you to counselors that can help you plan for your safety.

16. If I am HIV infected and see a counselor or case manager at a social service agency, will that counselor have to report my name to the Department of Health?

No. Under the law, the only people who have to report cases of HIV infection or HIV-related illness are doctors and other health care providers who make medical diagnoses or laboratories that perform diagnostic tests.

17. Can I still get tested without giving my name?

Yes. You can get anonymous testing through testing sites operated by New York City and New York State. At these sites, you do not have to give your name. Instead, you are given a code number to use when you return to receive your test results. Call the hotline numbers listed at the end of this brochure for sites where you can get anonymous testing in New York State.

18. If I am HIV infected, where can I go for treatment?

There are many medical providers who offer high quality HIV care throughout New York State and New York City. To get the names of providers near you, call one of the hotline numbers listed at the end of this brochure.

19. What if I don't have enough money to pay for HIV medical care and I don't have insurance?

Many people who don't have insurance or Medicaid can get HIV care, medications and home care paid for through the AIDS Drug Assistance Program (ADAP) and ADAP Plus. For information about ADAP and ADAP Plus and to find out how to enroll, call 1-800-542-2437, or the TDD line at (518) 459-0121.

20. What happens if I test HIV positive and someone finds out and discriminates against me?

Discrimination against people with HIV or AIDS is illegal. If you feel you've been discriminated against because of your HIV status in a place where the public is served - like a doctor's office or restaurant - you may be able to file a complaint. To file a complaint, call the New York State Division of Human Rights Office of AIDS Discrimination Issues at 1-800-523-AIDS. If you live in New York City, you may prefer to call the New York City Commission on Human Rights. To file a complaint with the Commission, call (212) 306-7500.

The Public Health Law protects the confidentiality of HIV-related information. If information about you is improperly shared without your consent, you may want to file a complaint. For general information on confidentiality, referrals or to request a "Breach of Confidentiality" form, call 1-800-962-5065.

For general information about HIV and AIDS, referrals to PNAP sites near you, and referrals to HIV counseling and testing sites near you, call:

- New York State AIDS Hotline: 1-800-541-AIDS
- Spanish (SIDA) Hotline: 1-800-233-SIDA
- Deaf (TDD) Hotline: 1-800-369-AIDS

For general information about HIV and AIDS and referrals to HIV counseling and testing sites in New York City, call:

- New York City Hotline: 1-800-TALK-HIV

For information about Contact Notification Assistance Programs in New York City, call:

- CNAP: 212-693-1419



State of New York
Department of Health

HIV REPORTING
AND PARTNER
NOTIFICATION

What You Need to Know About the Law

1. What is HIV reporting?

Beginning June 1, 2000, doctors and laboratories are required to report to the State Health Department all cases of HIV infection and HIV illness - as determined by CD4 and viral load testing - in New York State. Since 1983, doctors and laboratories have been required to report AIDS cases. Since people usually live for many years with HIV infection before they develop AIDS, all cases of HIV infection and HIV illness are now reported to better measure the size and makeup of the HIV epidemic in New York State.

2. What is partner notification?

Doctors are required to talk with HIV-infected patients about their options for letting sexual and needle-sharing partners know they may have been exposed to HIV. Doctors should discuss the three options for partner notification. These options are: have the counselor from the Health Department's PartNer Assistance Program (PNAP) or Contact Notification Assistance Program (CNAP in New York City) tell your partners for you without ever revealing your identity; tell your partners with the help of your doctor or a PNAP or CNAP counselor; or tell your partners yourself. If you choose to tell partners yourself, a PNAP/CNAP counselor will work with your doctor to confirm that the partner was told. If PNAP/CNAP cannot confirm this, they may also follow-up with you or your partner.